

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

STEPHEN McCAUSLAND,

Plaintiff,

v.

MICHAEL and ELIZABETH LONG, et
al,

Defendants.

CASE NO. C16-5018RBL

ORDER ON MOTIONS FOR
SUMMARY JUDGMENT

The Court is presented by dual motions for summary judgment. Plaintiff McCausland moves for summary judgment on Defendant Michael Long's "Sexual Battery" Counterclaim." [Dkt. #35]. The Long Defendants move for summary judgment on McCausland's Defamation and Intentional Infliction of Emotional Distress Claims. [Dkt. #37].

The claims stem from two Thanksgiving Day flag football games involving members of the Sunset Bible Church; one in 2013, the other in 2014. Mike Long alleges that in each game McCausland grabbed and fondled his penis and testicles. The 2013 grab was ignored. The second was not.

Defendants Mike and Elizabeth Long reported the incidents to the entire Sunset congregation, complete with recommendations for McCausland's termination, notification to

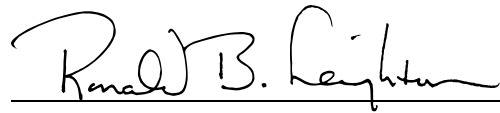
1 Child Protective Services, a sexual offender evaluation (including a polygraph) and a warning to
2 the Church's youth.

3 This tragic tale is steeped in enmity borne out of behavior that was accidental or
4 intentional, misunderstood or "called out" for what it was. Such questions are inherently factual
5 and depend on the credibility of the participants. Such questions fall squarely within the purview
6 of the jury. Summary Judgment is inappropriate in such a factually rich story.

7 The Motions [Dkt. #35 and #37] are **DENIED**.

8 IT IS SO ORDERED.

9 Dated this 2nd day of January, 2018.

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12 Ronald B. Leighton
13 United States District Judge
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